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R E M A R K S

This Amendment is submitted as a full and complete response to the outstanding Official Office Action mailed December 1, 2004. By this Amendment, applicant has canceled Claims 1-8, 10, 15, 17 and 22 and has amended independent Claims 9 and 16. Accordingly, it is now believed that amended independent Claims 9 and 16 and the remaining claims dependent thereon have been placed in condition for allowance. Claims 9, 11-14, 16, and 18-21 remain pending.

At the outset, it is noted that the Examiner has rejected Claims 1 through 22 under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This is because the Examiner contends that the preamble of independent Claims 1, 9 and 16 each contain the phrase "and the like" which renders the claims indefinite since one does not know the metes and bounds of the claims. In view of this, applicant has now amended Claims 9 and 16 so as to delete this objectionable phrase. Therefore, it is believed that the rejection based upon 35 USC 112 should be withdrawn.

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Turning now to the rejection on the merits, it is noted that the Examiner has rejected Claims 1, 5-9, 12-16 and 19-22 as being allegedly anticipated under 35 USC 102 by Curry, U.S. Patent No. 6,266,223. Further, he has rejected Claims 2-4, 10, 11, 17 and 18 under 35 USC 103 as being unpatentable over Curry taken in view of the teachings of Nabell et al., U.S. Patent No. 6,377,435 and Takeuchi, U.S. Patent No. 6,040,972. The Examiner has set forth in detail his reasons for these rejections on pages 2-4 of this Office Action. However, applicant respectfully disagrees with the Examiner in these contentions.

Nevertheless, and in an effort to better define the present invention over the cited prior art and to narrow the issues in this case, applicant has cancelled Claims 1-8, 10, 15, 17 and 22 and has amended independent Claims 9 and 16. It is submitted that none of the cited prior art references can, singly or in any combination, be deemed to anticipate or make obvious all of the new and novel features as now recited with particularity in amended independent Claims 9 and 16.

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In particular, Claim 9 has been amended so as to recite the structural details of the dual stage current limiting surge protector system. In particular, the protection protector system includes a first voltage suppressor; first and second fuse elements; third and fourth fuse elements; and a second voltage suppressor. Each of the third and fourth fuse elements is recited to have a lower rated current value than each of the first and second fuse elements. Further, The second voltage suppressor is recited to have a predetermined breakdown voltage that is less than the breakdown voltage of the first voltage suppressor.

Similarly, Claim 16 has been amended to recite the protector system to include a first voltage suppressor; first and second positive thermal coefficient resistors; third and fourth positive thermal coefficient resistors; and a second voltage suppressor. Each of the third and fourth positive thermal coefficient resistors is recited to have a lower rated current value than each of the first and second positive thermal coefficient resistors. Further, The second voltage suppressor is recited to have a predetermined breakdown voltage that is less than the breakdown voltage of the first voltage suppressor.

The Curry reference merely discloses a line protector for a communication circuit which includes first and second

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isolation circuits 38, 38'; a first voltage suppressor 40; third and fourth isolation circuits 48, 48'; and a second voltage suppressor 64. However, it does not teach or suggest the rated current value relationships between the first and second fuse elements or positive thermal coefficient resistors and the third and fourth fuse elements or positive thermal coefficient resistors as admitted by the Examiner. Further, Curry does not teach or suggest the breakdown voltage relationship between the first voltage suppressor and the second voltage suppressor, as recited with particularity in amended independent Claims 9 and 16. It is submitted that the broad and general teaching of Curry can not in any way be deemed to anticipate or make obvious the present invention as recited in amended Claims 9 and 16.

It is noted that the secondary references to Nabell et al. and Takeuchi as cited by the Examiner are both deficient in their teachings of the structural details of the second voltage suppressor of the present invention as recited in amended independent Claims 9 and 16. Further, Nabell et al. and Takeuchi do not teach or suggest the breakdown voltage relationship between the first voltage suppressor and the second voltage suppressor.

Specifically, the secondary reference to Nabell et al. merely discloses a circuit for protection of communication

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lines which includes first and second fuses 105, 106 connected in series with the unprotected side of the respective tip and ring lines; an over-voltage protection device 109 connected to both the tip and ring lines at a point intermediate the protected side and the unprotected side; and first and second PTC elements 107, 108 connected in series with the protected side of the tip and ring lines. The secondary reference to Takeuchi only discloses a protection device for a communication system which includes a series connected PTC thermistor 15 and a thick-film resistor 26 extending between the tip input and output terminals and a series connected PTC thermistor 19 and a thick-film resistor 28 extending between the ring input and output terminals.

Therefore, it is believed that the proposed combinations as suggested by the Examiner, even if such combinations were possible, would still not realize all of the features of the present invention. Therefore, it is believed that the present invention as recited in amended independent Claims 9 and 16 is clearly distinguishable over the prior art of record and is therefore in condition for allowance.

Moreover, it is likewise submitted that Claims 11 through 14 being dependent upon amended independent Claim 9

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should likewise be allowable for this reason alone. Similarly, Claims 18 through 21 being dependent upon amended independent Claim 16 should be likewise be allowed.

In view of the foregoing discussion and amendments advanced to the claims, it is now believed that amended independent Claims 9 and 16 and the remaining claims dependent thereon have been placed in condition for allowance. Therefore, a formal Notice of Allowability is believed to be in order and the same is earnestly solicited.

In the event the Examiner is of the opinion that the prosecution of this application may be expedited by direct contact with applicants' attorney, he is requested to call Paul F. Donovan (847) 657-4075, Glenview, Illinois.

Respectfully submitted,

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